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CASE NO. 4:19-CR-40097

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United States District Court of South Dakota

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IN RE:  
Nathan Joel Peachey  
PETITIONER

V.

UNITED STATES OF AMERICA  
RESPONDENT

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Motion for Leave of Court  
to challenge Plaintiff standing under the Religious Freedom Restoration Act of 1993 and  
ancillary to this challenge, a (1) Rule 34 Motion to Arrest Judgement for lack of subject-matter  
jurisdiction, and (2) ancillary to a denial by the Court to arrest Judgement, a supplemental Rule  
33 Motion for a new trial for Prosecutorial Misconduct on Affidavit of Criminal Complaint.

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Amendment to the Motion filed with the Court on November 23, 2021  
at conclusion of the verdict.

Filed by overnight Mail: EI188798421US

Date: December 6 2021

SUBMITTED:  
(42 USC 1988 (b))  
*Sui juris pro se*


  
\_\_\_\_\_  
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## 1. PETITIONER

1. Petitioner is Nathan Joel Peachey in 1682 Middle Road, Middleburg, Pennsylvania 17842, is Clergy, Minister, ecclesiastical Proctor, and Amish Christian missionary, and moves this Court *by Motion*. Petitioner is a named defendant in case No. 4:19-CR-40097 in United States District Court of South Dakota.

2. Juridical status of Petitioner is a living child of the Lord God Almighty, and his body and Soul are the actual Spirit component-substance of Christ the Son of God intrinsic, the temple of the living God, the body of Christ, the Ecclesia, which is sometimes called church. Petitioner is not a mere member applicant of a juridical fiction entity (called church) with a given name for its Title, and created and organized by any civil statutes, or registered as a 501 (c) 3 statutorily created organization.

3. Petitioner is the actual party of interest in this matter and Clergy of the ecclesiastical organizations, created and recorded by the original ecclesiastical-state of Pennsylvania and its churches of the Christian Religion in Pennsylvania, by the *Peace Treaty Convention by Articles of the Dordrecht Confession of Faith, Dordrecht, Holland, April 21, 1632*, party with begotten, inborn, and inherent Rights protected forever from the authority of any civil government by *Pennsylvania Bill of Rights, Article 1, Section 25*, and prohibited from and national government legislation under the 1<sup>st</sup> amendment of the US Constitution and protected from “*disparage and deny*” by the 9<sup>th</sup> Amendment to the US Constitution.

## **2. RESPONDENTS**

4. Respondent is United States of America, the named Plaintiff in this Case represented by Dennis Holmes, Jeremy Jehangiri and Hoffman, doing business in Sioux Falls, SD 57108.

## **3. COMPLAINT**

5. Petitioner is one (1) of four defendants in United States District Court of South Dakota Case No. 4:19-CR-40097 and represented by Attorney John R Hinrichs.

6. Petitioner was refused to admit many documents that validate inferential and circumstantial facts and evidence and historical documents that was important to the trial of the merits of the case, in order for the jury to make a fair, unprejudiced judgement on the actual intent of defendant. Petitioner was denied to invoke Pennsylvania Bill of Rights, and ancillary to that, the US Constitution Bill of Rights of 1<sup>st</sup>, 9<sup>th</sup> and 10<sup>th</sup> Amendment, and the Religious Freedom Restoration Act for 1993. The actual merits of the entire case, all arise under the rights retained by the people in Pennsylvania Bill of Rights and the US Bill of Rights and international common law, and non-whatsoever, arise under any Constitutional granted rights, or federal-law created legal rights.

7. Petitioner was denied to file a setoff counterclaim of 5 trillion against Plaintiff United States of America with a motion to this Court to join all the parties to the counterclaim. A great injustice will be done against Petitioner if this Court does not grant this Motion for leave of Court to challenge subject-matter jurisdiction and standing of plaintiff to even bring this case in this Court without an actual Case or Controversy with standing as a real party in interest of actual harm or injury. At the initial arraignment hearing before Judge Schreier, defendant Peachey asked the Judge if the Pennsylvania Bill of Rights apply to him in the District Court of

South Dakota. The Judge declared, YES THEY DO. Yet Plaintiff was denied by the prosecution and the defense attorney to raise this for his defence.

8. Plaintiff was denied a fair trial by an “*impartial jury of peers in the vicinage*”. Named Defendants were Clergy and Overseer of ecclesiastical Organizations for social humanitarian project funding under international common law and none of his peers were on the jury, but only peers of the prosecutor and the Plaintiff.

9. Throughout the entire trial from November 15-23, Plaintiff numerous times misrepresented, mischaracterized, and misstated the actual truth to the jury and the Judge. Defendant Nathan Peachey is now an “*actual live federal-witness of open Court proceedings*”, to actual substantial outright lies, misrepresentation of the facts, misleading untruthful statements, committed and criminally spoken by the Prosecutor to the Court and Jury, with the actual intent to influence and mislead a jury in open Court proceedings. Various time throughout the trial, the prosecutor and his witnesses, attempted to put their own personnel opinions into evidence, without being substantiated by any actual factual evidence.

10. Defendant Peachey is a live federal witness of criminal activity of actual violations and conspiracy to violate criminal law committed by Prosecution Attorney Dennis Holmes, Jeremy Jehangiri, Hoffman, Mathew Miller, and Cory Vickery. Please SEE FIRST-HAND LIVE FEDERAL-WITNESS OF PROBABLE CAUSE OF CRIMINAL ACTIVITY *Affidavit Exhibit-4.*

#### **4. BACKGROUND OF THE CASE**

11. The grounds for the Case 4:19-CR-40097 is that in the years 2015-2019, Petitioner is and was Clergy of ecclesiastical organizations, engaging in establishing a project for international social humanitarian project funding purposes. A small group of ecclesiastical benefactors settled funds via JV Trust Agreements. No funds were received, transferred, bequeathed or settled, under any vested legal-right to do so, that arose or were created by any public constitution, civil statute, or federal law. All funds were received, assigned, settled, bequeathed and transferred, strictly under begotten, inborn, inherent, and inalienable natural Right to do so, as children of the Most High God, which are inherent Rights prohibited by Constitution and Bill of Rights against Government interference, reserved and *“excepted from any legislative reach via the ecclesiastical abstention doctrine and sovereign immunity act of state doctrine”* from the powers of general government, by inviolable Right, as enumerated in the Bill of Rights, and International Private Treaty law under the Hague Convention.

12. All the alleged victims were free-will ecclesiastical benefactor and Settlers via five year (5) ecclesiastical Joint-Venture Trust Agreements, under their own power and inherent Right and Liberty to do so. All the rights asserted to join via JV Agreements did not arise under any federally granted or constitutionally created rights, and neither was Plaintiff, a party to the Contract, having no legal-Right to intervene.

13. The ecclesiastical Joint Venture Trust Agreements were initiated on or about the year 2016, for a minimum of five (5) years, with right to rolls and extensions. Very specific conditions on how to resolve any disputes to either party were agreed upon, by designated choice of Court forum. Then a very few (small minority) of the ecclesiastical benefactors *“want my money back now”* in about the 2<sup>nd</sup> year, of the five (5) year assignment. They acquiesced to an



FBI investigation which started to intervene in disruptive activity against the ecclesiastical Organizations and their contractual obligations, starting in 2017. Plaintiff unlawfully seized the assets and funds in Norway that belonged to the Ecclesia on June 2019, by bad faith.

14. Wanting money back now, did not create a basis for money laundering, or defrauding anyone, unless the power and Right to private Contract no longer exists, and unless the Bill of Rights no longer serve to prohibit the civil legislature and executive Branch from trespass against natural inborn, begotten and inherent Rights.

## 5. STATUS

15. Pennsylvania Bill of Rights is a Declaration of Rights for the Christian Ecclesia freehold estate, started by God conjuring with Patriarch Abraham by a sworn eternal-oath and covenant against the surety of the life of his own Son Jesus Christ, who resurrected to life for my sins and your sins, from the penalty of death for an offence against law, approximately 2021 years ago.

16. The Pennsylvania Bill of Rights maintains strict separation of *Church v State* in all the Articles. It is an ecclesiastical charter and judicial notice, separating the original ecclesiastical-state from the newly created civil political state, reserving Christian liberties, principles and practices, and claiming full ecclesiastical sovereign immunity, under *Pennsylvania Bill of Rights, Article 1, section 25*, the *US Constitution Bill of Rights, 1<sup>st</sup>, 9<sup>th</sup> and 10<sup>th</sup> amendment*, and protected under private international common law, law of nations and Hague Convention. The entire actual merits of this Case rest within the Right to defend accordingly.

## 6. MEMORANDUM OF CHRISTIAN RIGHTS 1<sup>ST</sup>, 9<sup>TH</sup> AND 10<sup>TH</sup> AMENDMENT

17. There are many constitutionally created rights and legal-rights granted by the Legislature, that the US Government exercises, by operation of the Constitutional three branches of Government, (1) the Legislature, (2) the Judicial, and (3) the Executive branch.

18. The 1<sup>st</sup> Amendment to the US Constitution, Bill of Rights, the People by the Constitution granted a **mandate** to the US Congress, and said, “*Congress shall make no law respecting an establishment of religion*” A church that is formed and established, either on its own as by the people, or created and formed under a legal-right of a State statute, and maybe even registered with the State or the US Government for recognition, is an establishment of religion, and is commonly called, a church with a building of walls and members.

19. Secondly the People also granted **Writ of Prohibition** to the US Congress, and said, “*or prohibit the free exercise thereof*” meaning the free exercise of religion, in Ecclesia. By operation of the 1<sup>st</sup> Amendment, the US Congress is barred from any legislation on the establishment of religion (church), and prohibited from making any laws, that would prohibit the free exercise thereof, (Ecclesia) whatsoever.

20. The 9<sup>th</sup> Amendment to the US Constitution, Bill of Rights, 9<sup>th</sup> 1<sup>st</sup> Amendment, mandates that the rights enumerated by the Constitution for the Government to use, shall not be used by the Governments power to “deny or disparage” those powers retained from the Government, by the people. The People by the US Constitution, granted and delegated certain of their rights, to create a political United States of America and US Government, and granted certain of their

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<sup>1</sup> The US Amendment 9<sup>th</sup> Amendment states clearly: the enumeration in the Constitution, of certain rights, shall not be construed to **deny or disparage** others retained by the people.

rights to the Legislature, to create legal-rights by the operation of statutes and law. These rights so granted by the people, and enumerated in the Constitution, for the Government to use, cannot be used or construed by Government power to “*deny or disparage*” any of the Rights, yet retained from the Government, by the People. The rights yet retained from the Government, by the People (Plaintiff) are all the rights enumerated and reserved in the entirety of the Pennsylvania Bill of Rights.

21. The Noah Webster’s 1828 Dictionary; *deny means: refuse, disown and contradict*; *disparage* means: injure by dishonor as an unequal rank. The Governments Constitutional enumerated rights, that the people granted to them for use, still belong to the people, are not more superior, are not greater, and do not have power to “*deny or disparage*” those rights of the people that they have yet retained from the Government.

22. All the Rights the people have retained from the Government in the 9<sup>th</sup> are all the Rights of the Christian Religion and Liberties, enumerated in the Pennsylvania Bill of Right Articles, and consummated inviolable forever in *Pennsylvania Bill of Rights, Article 1, Section<sup>2</sup> 25*.

23. The 10<sup>th</sup> Amendment of the US Constitution, Bill of Rights, reserves the rights that have not been granted or delegated and enumerated in the Constitution for the Government to use, to the People. The 9<sup>th</sup> amendment mandates the Government cannot deny or disparage the rights retained from the Government, and the 10<sup>th</sup> amendment immediately reserves those rights that are retained from the Government, to be reserved to the People.

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<sup>2</sup> § 25. **Reservation of powers in people.** To guard against transgressions of the high powers which we have delegated, we declare that everything in this article is excepted out of the general powers of government and shall forever remain inviolate.

## 7. FACTUAL ALLEGATIONS

24. **THE FIRST (1) CLAIM** is the fact that Plaintiff does not have actual standing with a harm or injury as required by law, to be a party-of-interest in a church Ecclesia matter prohibited by Pa Bill of Rights, Article 1, section 25, and US Constitution, 1<sup>st</sup>, 9<sup>th</sup> and 10<sup>th</sup> amendment. If Plaintiff has no standing with an actual Case or Controversy with actual harm or injury, then there can be no subject-matter jurisdiction in a Federal Court. Respondent Hinrichs has refused to challenge subject-matter jurisdiction and standing, on the actual merits of the case. Petitioner requested the US DISTRICT COURT must be prohibited from proceeding for lack of subject-matter jurisdiction and venue, and Plaintiff had no standing, with an actual case or Controversy. The US Constitution only grants District Courts to proceed when there is an actual “case or controversy that arises by a right, granted by the Constitution, or a legal-right created by Federal law. In this Case no funds were received under any constitutionally created or Federal law created rights. All funds were received under provisions of the JV Agreements and done under natural God-given rights, protected by the *Pennsylvania Bill of Rights, Article 1, Section 25, US Constitution 1<sup>st</sup>, 9<sup>th</sup>, and 10<sup>th</sup> Amendment, Religious Freedom Restoration Act of 1933, and international common law.* **SEE EXHIBIT (1) Peachey v Okokrim and EXHIBIT (2) Peachey v Okokrim and EXHIBIT (3) Peachey v Okokrim FILED.**

25. **THE SECOND (2) CLAIM** is the fact that Petitioner was unlawfully denied an impartial jury of peers from the vicinage of Pennsylvania, as the Pennsylvania Bill of Rights guarantees. The government of District Court in South Dakota empaneled a jury with peers of the Plaintiff; who believe in carrying the sword to execute judgment, but no peers of the defendant Peachey who is an Amish-Mennonite Christian missionary, a consciences objector by

faith, religiously opposed to carrying guns or the sword for self-defense, or from exercising and holding any type of governmental jobs that entail and require the use of force by the sword, and is a Religious Christian, living in in the ecclesiastical-state of Pennsylvania. The jury itself is a Christian religion practice of the faith, of not allowing the law to condemn, but the accused has the right to appeal to twelve men of the Christian religion that are raised with Christ to be above the law with Christ, and have the *power to remit or withhold remittance of an offence against the law*. That's why they come and sit in the court. It is a practice of the Christen religion, first granted as a Right to the liberty of the church in the Magna Carta. The right for Petitioner to have a *trial by the peers of the vicinage* is inviolable. Vicinage is the peers of his church, under the Pennsylvania Bill of Rights. SEE **EXHIBIT (28) Trial by Jury of the Peers of the Vicinage** and **EXHIBIT (30) Magna Carta and the Right to Trial by Jury**.

26. Defendant's peers are Christian inhabitants of Pennsylvania, conscientious objectors of European descent of Amish and Mennonite faith as described in the Martyrs Mirror, who live and abide by the *Articles of the Confession of Faith, Dordrecht, Holland, April 21, 1632*, which is the organization structure of the peers of our churches. **EXHIBIT (29) Martyrs Mirror and Defendants Christian History**.

27. **THE THIRD (3) CLAIM** is the fact that Petitioner was improperly denied the common-law right to file a setoff counterclaim in this case on behalf of defendant Peachey, and Motion the District Court for an Order to join all necessary parties as claimants in a counterclaim set-off suit. Attorney Hinrichs has the necessary documentation to the discovery material to validate the setoff counterclaim, that Plaintiff United States of America is liable on claim to the amount of Five trillion USD (5,000,000,000,000.00) to defendants in this case. Now is the time to file a

counterclaim setoff. If the Plaintiff believes it is their duty to balance the books for an allegation of misappropriation of funds for the Christian Ecclesia and the Clergy, but yet are barred under the 1<sup>st</sup>, 9<sup>th</sup> and 10<sup>th</sup> amendment from doing so, yet they themselves still owe the Defendants five trillion USD that they conspired, caused, or assisted to abscond, aided, and abetted on or around April 20<sup>th</sup>, 2009. The time-frame of this Case reaches back to 2015-2016. The eight year statute of limitation from 2016 goes back to 2008. Well within the (8) year statute of limitations for bank fraud that occurred against defendants, back in 2009.

28. In *United States v. Shaw*, 309 U.S. 495, 502-04, 60 S.Ct. 659, 662-63, 84 L.Ed. 888 (1940), and its companion case, *United States v. United States Fidelity Guaranty Co.*, 309 U.S. 506, 512-13, 60 S.Ct. 653, 656, 84 L.Ed. 894 (1940), the Supreme Court clearly determined that by initiating a suit, the Government waives its sovereign immunity as to any set-offs or recoupments diminishing any affirmative recovery otherwise obtainable by the Government.

29. Plaintiff does not have subject-matter jurisdiction and has no standing in the merits of the case, and have no right or cause to even be involved in church matters, and certainly if they want to *clean someone else's books*, they should first come with clean hands of their own. That is an equity rule that has long been established in American jurisprudence. If the Plaintiff would not have absconded with 5 trillion that was designated for social humanitarian project funding, for named defendants in this Case, then this case would never have arrived either.

30. **"He who seeks equity must do equity."** This maxim is not a moral persuasion but an enforceable [Rule of Law](#). It does not require every plaintiff to have an unblemished background in order to prevail, but the court will refuse to assist anyone whose [Cause of Action](#) is founded on his or her own misconduct toward the other party. If, for example, a wealthy woman tricks her



intended spouse into signing a prenuptial agreement giving him a token \$500 should they [Divorce](#) and after marriage she engages in a consistent pattern of conduct leading to a divorce, a court could refuse to enforce the agreement. This maxim reflects one aspect of the principle known as the *clean hands doctrine*. "***He who comes into equity must come with clean hands.***" Equity will always decline relief in cases in which both parties have schemed to circumvent the law. In one very old case, a robber filed a bill in equity to force his partner to account for a sum of money. When the real nature of the claim was discovered, the bill was dismissed with costs, and the lawyers were held in [Contempt](#) of court for bringing such an action. This famous case has come to be called *The Highwayman* (*Everet v. Williams*, Ex. 1725, 9 L.Q. Rev. 197), and judges have been saying ever since that they will not sit to take an account between two robbers.

31. **"Equity aids the vigilant, not those who slumber on their rights."** This principle recognizes that an adversary can lose evidence, witnesses, and a fair chance to defend himself or herself after the passage of time from the date that the wrong was committed. If the defendant can show disadvantages because for a long time he or she relied on the fact that no lawsuit would be started, then the case should be dismissed in the interests of justice. The law encourages a speedy resolution for every dispute. It does not favor the cause of someone who suddenly wakes up to enforce his or her rights long after discovering that they exist. A long unreasonable delay like this is called [Laches](#), and it is a defense to various forms of equitable relief.

32. **"Equity follows the law."** Equity does not replace or violate the law, but it backs it up and supplements it. Equity follows appropriate RULES OF LAW, such as the RULES OF EVIDENCE and pretrial discovery.

33. **"Equity delights to do justice and not by halves."** It is the purpose of equity to find a complete answer to the issues that are raised in a lawsuit. It will bring in all the necessary parties, balance their rights, and give a decree that should protect all of them against further litigation on the subject. Whenever necessary, the court will retain jurisdiction in order to supervise enforcement of relief. For example, a lawsuit remains alive as long as an [Injunction](#) is in force. Either party may come back into court and apply for reconsideration of the order if circumstances change. SEE **EXHIBIT (33) Social Humanitarian Project JV Agreement Summary.**

34. **THE FOURTH (4) CLAIM** is the fact that Petitioner was improperly denied the legal-right to challenge the 1343 and its ancillary subsequent charges, as unlawful Bill of Attainder charges under the Communications Act of July 16, 1952, which created the bill of attainder of pains and penalties in 18 USC 1343, and is nothing more than a penalty under this act. It does not prohibit or declare anything to be unlawful. It just prescribes a sentencing penalty, without a trial. It just mandates to take "whoever" that special class of easily identifiable persons, subject to the interstate commerce communications Act and sentence them with a fine and imprisonment without a trial. American jurisprudence has long held, as any lawyer should know, that Bill of Pains and Penalties are unconstitutional, and that a Grand Jury does not have the power and authority to indict anyone with a Bill of Attainder sentencing penalty, for something that has never been created unlawful. Furthermore the Communications Act of 1934, section 501 specifically declares that anything in this Act, ***declared to be unlawful or prohibited***, shall be punished or fined, upon conviction by punishment of no more the two years. 18 USC 1343 is nothing more than an aberration of a Bill of Attainder. It is not a law declaring anything to be prohibited, and it does not provide for a trial before punishment. It simply mandates a



punishment for certain actions that have not factually been declared unlawful by US Congress statutes. Till then, they remain a common law offence, and no common law offence can be had against the United States as an offence. Moreover the an Act to regulate Commerce, Feb. 4, 1887, statutorily excludes any acts of “*or for charitable purposes*” to the Interstate Commerce Regulation Act. Moreover the 18 USC Criminal Code Act of June 25, 1948, Section 1, unconstitutionally created all common law offences in the United States as statutory offences punishable by the United States, but was again repealed on October 12, 1984.

35. The Pennsylvania Bill of Rights, Article 1, Section 18 prohibits attainder charges, “*No person shall be attainted of treason or felony by the legislature*” and so does the US Constitution. A Bill of attainder is a *legislatively defined penalty charge* for an offence against law. This is a violation of the Christian Religion and prohibited by the Bill of Rights, 1<sup>st</sup> and 9<sup>th</sup> Amendment of the US Constitution. The Christian Religion does not punish offences against law. This is in violation of the Christian faith and the commandments of God. The Christian Religion makes restoration of wrongs committed, through repentance and restoration.

36. US Congress is vested with only three (3) constitutionally granted authorizations, whereupon they can legislate and define punishments against offences, as notated in *US Constitution, Article 1, Section 8, (1) to provide for the punishment of counterfeiting the Securities and current coin of the United States, (2) to define and punish Piracies and felonies committed on the High Seas, (3) and offences against the Law of Nations*. The offences of (1) counterfeiting money, (2) piracies and felonies on the high sea, and the (3) offence against the Law of Nations, are the only three offences that arise under the Constitution grant of right, for Congress to legislatively define penalty against.

37. American jurisprudence has long held that there can be no common law offence against the United States, because it is a statutory-created political fiction created by legislation. All offences can only be a violation of law, which must first be legislatively defined to be either unlawful or prohibited as an offence. No act can be punished *as an offence against the United States of America, unless an act of Congress has first declared the act unlawful, and prescribed the punishment*” and the court which shall have jurisdiction of the offense, since the federal courts have no common law jurisdiction in criminal cases and can exercise such powers only as are conferred upon them by act of Congress. *United States v. Hudson*, 7 Cranch (u.s.) 32,3 L. Ed.259. in this Case, the 18 USC 1343 is not a law. It does not prohibit any actions. It is part of the interstate commerce Act as a pains and penalty.

38. The word “*attaint*” means, “*to arrive at by a meeting of the minds, convict*” i.e. (Noah Webster’s 1828 Dictionary). A Federal Grand Jury does not have the power to administrate any Bill of Pains and Penalties (*legislatively created and defined penalty*) for any offence against the United States of America, *to anyone*. This is a violation of ecclesiastical Rights reserved by the Christian Religion by the *Pennsylvania Bill of Rights, Article 1, Section 25, US Constitution 1<sup>st</sup> and 9<sup>th</sup> Amendment*, and a violation of the *Freedom of Religion Restoration Act of 1993*.

39. Petitioner is vested with an inherent ecclesiastical Right that is protected by the *Pennsylvania Bill of Rights, Article 1, Section 25*, and from the Federal US Government, by *US Constitution 1<sup>st</sup> and 9<sup>th</sup> Amendment*, to not be subject to legislatively defined Bill of attainder charges for punishments of offending law, because the Christian Religion and practice of faith, are not under the law, but in Grace. Violating the practice of the Christian Religion is a violation under the *Freedom of Religion Restoration Act of 1993*.

40. In *Elgin v. US*, concurred, a bill of attainder is "a law that legislatively determines guilt and inflicts punishment upon an identifiable individual without provision of the protections of a judicial trial." *Nixon v. Adm'r of Gen. Servs.*, [433 U.S. 425, 468](#) (1977).

41. However, a bill of attainder is "a legislative enactment which determines guilt and inflicts punishment upon an identifiable person or group without a judicial trial." *Commonwealth v. Scheinert*, [359 Pa. Super. 423, 429](#), [519 A.2d 422, 425](#) (1986).

42. *United States v Brown*, The Bill of Attainder Clause is to be liberally construed in the light of its purpose to prevent legislative punishment of designated persons or groups. *Cummings v. Missouri*, 4 Wall. 277; *Ex parte Garland*, 4 Wall. 333; *United States v. Lovett*, [328 U.S. 303](#). Pp. 447-449.

43. **THE FIFTH (5) CLAIM** is the fact that Petitioner was improperly denied the right to include in the defence as matters of substantial interests into the Record for the jury trial. Petitioner strongly objects to not allow any of this material to be included in the evidence and arguments at trial, and finds it violates his protected rights under the *Pennsylvania Bill of Rights*, Article 1, Section 25, 1<sup>st</sup>, 9<sup>th</sup> and 10<sup>th</sup> Amendment.

44. **THE SIXTH (6) CLAIM** is the fact that Petitioner was improperly denied the right to invoke the *Pennsylvania Bill of Rights Article 1, Section 9*. This Right allows Petitioner to face his accusers, and question them, and to demand the nature and the cause of their accusations, but it prohibits him from being compelled to provide any incriminating evidence against himself in open Court. If petitioner does voluntary admit or voluntary confess to something in open Court in order to impeach the credibility of the accusers, this *Pennsylvania Bill of Rights, Article 1, section 1* protects him from being incriminated, by such a voluntary confession in open Court.

This is one of the greatest Rights an accused has, in order to get a fair trial and get all the facts on the table, without further incrimination, yet Petitioner was denied this Right during the trial.

**Rights of accused in criminal prosecutions.** In all criminal prosecutions the accused hath a right to be heard by himself and his counsel, to demand the nature and cause of the accusation against him, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and, in prosecutions by indictment or information, a speedy public trial by an impartial jury of the vicinage; he cannot be compelled to give evidence against himself, nor can he be deprived of his life, liberty or property, unless by the judgment of his peers or the law of the land. The use of a suppressed voluntary admission or voluntary confession to impeach the credibility of a person may be permitted and shall not be construed as compelling a person to give evidence against himself.

45. **THE SEVENTH (7<sup>th</sup>) CLAIM** is the fact that Petitioner is now a first-hand live federal-witness of actual crimes being committed, or conspired to be committed against the laws of the United States in a Federal Court in front of a District Court and jury by the plaintiff Representatives and co-conspirators. Please see **Exhibit 8 Live First-Hand Witness of Federal Crimes**.

## **8. PRAYER FOR RELIEF**

46. Relief is sought as remedy to the factual true and correct Claims allegations of wrongdoing and commission of actual federal crimes or conspiracy to commit these federal crimes by Plaintiff, as represented by Dennis Holmes, Jeremy Jehangiri, Ann Hoffman, Cory Vickery, Mathew Miller and other conspiracy cohorts to falsely represent the true facts and violation under color of law, of begotten, inherent and inalienable Rights under which the actual merits arise of this case arise. Petitioner seeks an Order from this Court, to arrest judgment of the verdict without prejudice, for lack of subject-matter jurisdiction, or if that is not granted, then arrest of judgement and a new trial for prosecutorial misconduct, and violation of constitutionally protected Rights of the Pennsylvanian Bill of Rights and the US Constitution, 1<sup>st</sup>, 9<sup>th</sup> and 10<sup>th</sup> Amendment and the Religious Freedom restoration Act of 1993 and international common law.

## 9. REQUEST FOR HEARING

47. Petitioner requests oral arguments and hearing.

## 10. SWORN STATEMENT

48. I Nathan J Peachey herein, herewith, and hereby affirm and declare the statements, facts and attached Exhibit Affidavits is herein a part of this Motion and is true and correct.

STATE OF PENNSYLVANIA

SNYDER County, ss.

I Nathan Joel Peachey being duly sworn to law, dispose and say the statements and the contents of this Affidavit and factual allegations as contained herein and above are true and correct to the best of my knowledge, so help me God.

  
Nathan Joel Peachey

Sworn and Subscribed to me this 7 day of Dec in the year of our Lord

2021

  
Notary Public

  
Adm Asst

My commission expires: \_\_\_\_\_

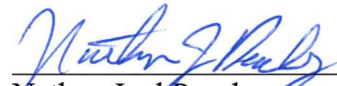
MY COMMISSION EXPIRES FIRST MONDAY IN JANUARY 2024

**11. SUBMISSION**

DATE: *Dec 7 2021*

RESPECTFULLY SUBMITTED  
SUI JURIS PRO SE

Clergy



---

Nathan Joel Peachey  
1682 Middle Road  
Middleburg Pennsylvania 17842  
[jerichooutreach@yahoo.com](mailto:jerichooutreach@yahoo.com)  
(570) 765-5159

## **12. CERTIFICATE OF SERVICE**

I have served upon Plaintiff by Overnight Mail Number:

Jeremy Jehangiri/Asst. United States Attorney  
PO Box 2638  
Sioux Falls, SD 57101-2638

EI188798449US

Attested True and Correct:

---

Nathan J Peachey  
1682 Middle Road  
Middleburg PA 17842

Date



PRESS FIRMLY TO SEAL

PRESS FIRMLY TO SEAL



**PRIORITY  
MAIL  
EXPRESS**

To schedule free  
Package Pickup,  
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PS10001000006



**PRIORITY  
MAIL  
EXPRESS**

**CUSTOMER USE ONLY**

**FROM:** (PLEASE PRINT) **PHONE:** ( )

*Walter Paubly*  
*168 2 Middle Rd*  
*Middleburg PA 17842*

**DELIVERY OPTIONS (Customer Use Only)**

☐ **SIGNATURE REQUIRED** Note: The mailer must check the "Signature Required" box if the mailer: 1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.

**Delivery Options**

☐ No Saturday Delivery (delivered next business day)

☐ Sunday/Holiday Delivery Required (additional fee, where available)  
\*Refer to USPS.com® or local Post Office® for availability.

**TO:** (PLEASE PRINT) **PHONE:** ( )

*Federal District Court*  
*400 S Phillips Ave.*  
*Sioux Falls, SD*

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*57104*

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- \$100.00 Insurance Included.

**PEEL FROM THIS CORNER**



1007



57104

U.S. POSTAGE PAID  
PME 1-DAY  
MIFFLINBURG, PA  
17844  
DEC 07, 21  
AMOUNT

**\$27.10**

R2303S102700-02



EI 188 798 421 US

**433-**

**PAYMENT BY ACCOUNT (if applicable)**

USPS® Corporate Acct. No. Federal Agency Acct. No. or Postal Service™ Acct. No.

**ORIGIN (POSTAL SERVICE USE ONLY)**

☒ 1-Day ☐ 2-Day ☐ Military ☐ DPO

**PO ZIP Code** *17844* **Scheduled Delivery Date (MM/DD/YY)** *12-8-21* **Postage** *\$ 27.10*

**Date Accepted (MM/DD/YY)** *12-7-21* **Scheduled Delivery Time** *6:00 PM* **Insurance Fee** *\$* **COD Fee** *\$*

**Time Accepted** *5:00 PM* ☐ AM ☒ PM **Return Receipt Fee** *\$* **Live Animal Transportation Fee** *\$*

**Special Handling/Fragile** *\$* **Sunday/Holiday Premium Fee** *\$* **Total Postage & Fees** *\$ 27.10*

**Weight** *Flat Rate* **Acceptance Employee Initials** *me*

**DELIVERY (POSTAL SERVICE USE ONLY)**

**Delivery Attempt (MM/DD/YY)** **Time** ☐ AM ☐ PM **Employee Signature**

**Delivery Attempt (MM/DD/YY)** **Time** ☐ AM ☐ PM **Employee Signature**

LABEL 11-S, MAY 2021

PSN 7660-02-000-9996



\* Money Back Guarantee to U.S., select APO/FPO/DPO, and select International destinations. See DMM and IMM at pe.usps.com for complete details.

+ Money Back Guarantee for U.S. destinations only.

\* For Domestic shipments, the maximum weight is 70 lbs. For International shipments, the maximum weight is 4 lbs.

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\* For Domestic shipments, the maximum weight is 70 lbs. For International shipments, the maximum weight is 4 lbs.